

**Cc:** Ward, W. Robert[Ward.Robert@epa.gov]  
**To:** Mitchell, Stacey[Mitchell.Stacey@epa.gov]; Michaud, John[Michaud.John@epa.gov]  
**From:** Card, Joan  
**Sent:** Tue 8/18/2015 12:40:14 AM  
**Subject:** Fwd: Status Update on AGs/VIPs visit from Area Command

FYI

Joan Card  
Senior Policy Advisor  
Region 8

Sent from my EPA iPhone

Begin forwarded message:

**From:** "Tyler, Patti" <Tyler.Patti@epa.gov>  
**Date:** August 17, 2015 at 6:02:26 PM MDT  
**To:** "Card, Joan" <Card.Joan@epa.gov>  
**Cc:** "Ward, W. Robert" <Ward.Robert@epa.gov>, "McGrath, Shaun" <McGrath.Shaun@epa.gov>, "Miullo, Nat" <Miullo.Nat@epa.gov>, "Ostrander, David" <Ostrander.David@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Williams, Laura" <williams.laura@epa.gov>  
**Subject:** Re: Status Update on AGs/VIPs visit from Area Command

Joan,

With respect to logistics, out of Silverton, the group would travel on County Rd 110 (gravel) a few miles past the Silverton Ski Area. At this point, there is a parking area, that could be used for a staging location. From the parking area, the group would walk a couple hundred feet to a white communications truck (EPA logo) where the safety brief will be held via the USCG. After the safety briefing, the group will be transported via SUVs to the four treatment ponds. Due to the construction operations at the site on Wednesday, that is as far as the group will be capable of traveling due to ongoing construction activities to resolve unstable road conditions. We have identified a vantage point where the group will be capable of observing the other features of the site. Please note that we are hearing the temperatures are dropping at the site.

I just got off the phone with Roger Hudson and he will be bringing 3 reporters (Denver Post, Durango Herald, and Channel 7) and a photographer.

Thanks,

Patti

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**From:** Card, Joan  
**Sent:** Monday, August 17, 2015 4:14 PM  
**To:** Tyler, Patti  
**Cc:** Ward, W. Robert; McGrath, Shaun; Miullo, Nat; Ostrander, David; Grantham, Nancy; Williams, Laura  
**Subject:** Re: Status Update on AGs/VIPs visit from Area Command

Not at this time.

Also, can you find out status of whether ATVs will be used on Wednesday? Can you also find out how long a hike to the mine would be if that is required? Thanks.

Joan Card  
Senior Policy Advisor  
Region 8

Sent from my EPA iPhone

On Aug 17, 2015, at 4:09 PM, Tyler, Patti <[Tyler.Patti@epa.gov](mailto:Tyler.Patti@epa.gov)> wrote:

Thanks Joan,  
Should Nancy and I circle back to UT to share similar information we shared with CO?

Patti Tyler  
Science Advisor  
Science Liaison to ORD  
EPA Region 8  
303.312.6081 (office)  
720.635.0787 (cell)

On Aug 17, 2015, at 4:07 PM, Card, Joan <[Card.Joan@epa.gov](mailto:Card.Joan@epa.gov)> wrote:

Thanks Patti. Bob also conversing with same at CO. Hold tight for further update.

Joan Card  
Senior Policy Advisor

Region 8

Sent from my EPA iPhone

On Aug 17, 2015, at 4:03 PM, Tyler, Patti <[Tyler.Patti@epa.gov](mailto:Tyler.Patti@epa.gov)> wrote:

Thanks for your call Joan,  
I wanted to share that I spoke with Roger Hudson (CO AG) this afternoon and he shared that he will join Coffman, her deputy along with 2 other staff plus 2-3 press along with joining UT AG Reyes and their group of 5-6 to include UTDEQ. Their plans are to arrive in Silverton by noon this Wednesday. They are seeking confirmation of their plans and a point of contact and phone number upon their arrival on Wednesday. Roger also requested a point of contact with respect to land owner access agreements.

In my conversation with Roger, I shared site condition access limitations and land owner access agreements. We agreed to connect tomorrow for an update and confirmation of their visit.

Please let me know how you would like me to proceed.

Patti Tyler  
AC LNO  
720.635.0787 (cell)

On Aug 17, 2015, at 11:20 AM, Ward, W. Robert  
<[Ward.Robert@epa.gov](mailto:Ward.Robert@epa.gov)> wrote:

Please call me as soon as possible – thanks, Patti. Bob

W. Robert Ward

Regional Counsel

U.S. Environmental Protection Agency

Region VIII

303-312-7100 (direct)

303-312-6736 (office)

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**From:** McGrath, Shaun  
**Sent:** Sunday, August 16, 2015 4:20 PM  
**To:** Grantham, Nancy  
**Cc:** Ostrander, David; Harrison, Melissa; Rupp, Mark; Russo, Rebecca; Miullo, Nat; Tyler, Patti; Ruhl, Christopher; Calanog, Steve; Distefano, Nichole; Logan, Paul; Ward, W. Robert; Buhl, Rick; Woolford, James; Hestmark, Martin; Gray, Stuart; Zito, Kelly; Kluesner, Dave  
**Subject:** Re: Update on AGs/VIPs visit

Here are the contact numbers.

David: are you comfortable with this plan, particularly regarding safety considerations:

For CO: Roger at **Personal Phone/Ex. 6**  
For UT: Missy Larson at **Personal Phone/Ex. 6**

Shaun  
Sent from my iPhone

Sent from my iPhone

On Aug 16, 2015, at 4:55 PM, Grantham, Nancy  
<[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)> wrote:

Hi All,

We are getting ready to put this in motion for hopefully Tuesday –  
and need to know who is making the contact with the state AG

offices. Patti Tyler, the IC liaison officer, is happy to do that outreach, we would just need to get any contact names in those offices the regions may have.

Thanks

Nancy Grantham (transitioning with Melissa Harrison into the PIO role).

**From:** McGrath, Shaun  
**Sent:** Sunday, August 16, 2015 4:27 PM  
**To:** Ostrander, David  
**Cc:** Harrison, Melissa; Grantham, Nancy; Rupp, Mark; Russo, Rebecca; Miullo, Nat; Tyler, Patti; Ruhl, Christopher; Calanog, Steve; Distefano, Nichole; Logan, Paul; Ward, W. Robert; Buhl, Rick; Woolford, James; Hestmark, Martin  
**Subject:** Re: Update on AGs/VIPs visit

I agree that David should lead these tours. As for the AGs, I intend to be there for that one so if it is getting scheduled for Tues, please let me know ASAP so I can change my plans.

Thx

Patti Tyler

Science Advisor  
Science Liaison to ORD  
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On Aug 16, 2015, at 1:28 PM, Ostrander, David  
<[Ostrander.David@epa.gov](mailto:Ostrander.David@epa.gov)> wrote:

With Shaun's blessing, I would like to lead these events. My focus going forward is on these reviews and I would like to lead these. There will be union representation for the employees on-site this week. ORC needs to weigh in on any agency legal representation. I do not intend for

the state AGs to have an opportunity to interview any employees, they are there only to see the site. Any requests for interviews outside of EPA programs and IG need to go through OGC and I don't believe that has been done by the states.

Also, counsel advised that the state AGs need permission from the property owner to visit the site. Our access agreement covers EPA and its agents and not other entities.

Please note: in a conversation with Rick Buhl, ARA R8, who worked on the union representation coming down this week, the union HAS NOT been notified of the OSWER review team coming as yet. They will be notified so they can be present during the OSWER reviews with employees, they just need to be notified through proper channels by HQ(or the region?).

Thanks

Sent from my iPad

On Aug 16, 2015, at 12:16 PM, Harrison, Melissa  
<[Harrison.Melissa@epa.gov](mailto:Harrison.Melissa@epa.gov)> wrote:

Hey gang,

Nancy is on the ground and working with Nat/Patti on a plan for logistics for visits this week. We have learned that starting Weds there is extensive work being done that will keep the mine from being accessible due to safety concerns. This means we will likely need to make a trip on Tuesday with multiple people including (maybe more) AGs, OSWER and IG. Plus, we know Cong. Tipton has spoken with David about a visit.

We need to identify someone who is best to speak with the VIPs to coordinate. Plus we need decisions on how to work these different groups into combined or separate trips. We've also heard serious staff concerns about being in a position where they would be asked questions without an attorney present. Will we have EPA counsel present? We would like some more guidance on this decision.

I'd also suggest getting someone in for this week who can take the lead on communicating with the VIPs. Nancy, Nat, and Patti have taken on the logistics, but it's really not appropriate for us to be speaking to Congressionals/attorneys.

With all this said, I'm only serving to tee up this conversation for Nancy to move forward.

Thanks!

Melissa